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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,318	09/22/2003	Michael JOHANSSON	07589.0129.PCUS00	2317
28694	7590	10/26/2004	EXAMINER	
TRACY W. DRUCE, ESQ. 1496 EVANS FARM DR MCLEAN, VA 22101			DOLE, TIMOTHY J	
			ART UNIT	PAPER NUMBER
			2858	

DATE MAILED: 10/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/605,318		JOHANSSON ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Timothy J. Dole		2858	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/22/03, 10/24/03</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Specification***

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

### ***Claim Objections***

2. Claims 11 and 20-22 are objected to because of the following informalities: in claim 11, the comma at the end of the claim should be a period; in claim 20, the word "The" should be at the beginning of the claim. Claims 21 and 22 are objected to for depending on objected claim 20. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5 and 7-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Summons et al. (WO 87/03548).

Referring to claim 1, Summons et al. discloses a system (fig. 1) for monitoring the functioning of electric components on a vehicle or a vehicle combination comprising: a control system, an instrument (fig. 1 (20)), means (fig. 1 (17)) for activating at least one electric component (fig. 1 (load)), means (fig. 1 (LOGIC 1) and (LOGIC 2)) for allowing an operator to give at least one message to the control system, means (fig. 1 (21)) for allowing the control system to give at least one message to the operator, and means (fig. 1 (14)) for measuring at least one characteristic value for said electric component (abstract), said means for allowing the control system to give at least one message to the operator is integrated into the instrument (fig. 1), the system is integrated into the instrument (fig. 1), and the system is integrated into an existing control system (abstract).

Referring to claim 2, Summons et al. discloses the system as claimed, wherein the system further comprises: means (fig. 1 (13)) for saving at least one measured characteristic value (abstract).

Referring to claim 3, Summons et al discloses the system as claimed, wherein the system further comprises: means (fig. 1 (16)) for comparing at least one measured characteristic value with at least one saved nominal value (abstract).

Referring to claim 4, Summons et al. discloses the system as claimed, wherein the system further comprises: means (fig. 1 (13)) for saving at least one characteristic value in one or more data set(s), where a data set contains at least one characteristic value and where the characteristic values in a data set correspond to the characteristic values for a vehicle (page 4, line 11 – page 5, line 17).

Referring to claim 5, Summons et al. discloses the system as claimed, wherein the system further comprises: means (fig. 1 (13)) for saving at least one historical value for at least one component in at least one historical data set (page 4, line 11 – page 5, line 17).

Referring to claim 7, Summons et al. discloses the system as claimed, wherein the system further comprises: means for transferring one or more historical data set(s) to a central unit (page 4, line 11 – page 5, line 17).

Referring to claim 8, Summons et al. discloses a method for monitoring the functioning of electrical components on a vehicle or a vehicle combination, the method comprising: starting a monitoring procedure (page 12, lines 31-33); activating at least one electric component (page 12, lines 34-36); measuring at least one characteristic value for said component (page 12, lines 37-39); allowing the control system to give at least one message to an operator via a means integrated in an instrument (page 13, line 38 – page 14, line 1), and allowing an operator to give at least one message to a control system via a menu system (page 14, lines 24-27).

Referring to claim 9, Summons et al. discloses the method as claimed, further comprising: saving at least one measured characteristic value for said component (page 14, lines 14-16).

Referring to claim 10, Summons et al. discloses the method as claimed, further comprising: comparing at least one measured characteristic value with at least one saved nominal value for said component (page 14, lines 14-16); and comparing at least one measured characteristic value with at least one saved maximum and/or minimum value for said component (page 13, lines 11-18).

Referring to claim 11, Summons et al. discloses the method as claimed, further comprising: giving one or more message(s) to an operator and/or saving one or more error message(s) when at least one measured characteristic value differs from at least one saved nominal value by more than a predefined factor and/or is smaller than at least one saved minimum value and/or is greater than at least one saved maximum value (page 16, lines 20-25).

Referring to claim 12, Summons et al. discloses the method as claimed, further comprising: monitoring a component every time the component is activated and/or, when the component is already activated, monitoring the component with a predefined time interval (page 11, lines 1-4).

Referring to claim 13, Summons et al. discloses the method as claimed, further comprising: activating a component or a number of components sequentially in a user state during the course of an adjustable time interval (page 11, lines 1-11).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Summons et al. in view of Kasprowicz.

Referring to claim 6, Summons et al. discloses the system as claimed except means for predicting the service life of a component.

Kasprowicz discloses a monitoring system including means for predicting the service life of a component (abstract).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to incorporate the life prediction means of Kasprowicz into the system of Summons et al. for the purpose of using characteristics of components to give a better indication of usefulness of the component (abstract).

7. Claims 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Summons et al. in view of Traub.

Referring to claims 14 and 15, Summons et al. discloses the method as claimed except wherein the components, which are to be activated in the user state, can be selected by an operator using an input unit and/or a remote control.

Traub discloses a test method for a trailer wherein the components, which are to be activated in the user state, can be selected by an operator using an input unit and/or a remote control (fig. 1 (10) and abstract).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to incorporate the remote control method of Traub into the method of Summons et al. for the purpose of controlling the system from a remote location without the help of a second person (column 2, lines 18-30).



Referring to claim 16, Summons et al. discloses the method as claimed, further comprising: dividing the method into a number of part operations, where a part operation can monitor a part of the vehicle or the vehicle combination (page 1, lines 13-24).

Referring to claim 17, Summons et al. discloses the method as claimed, wherein a part operation can be initiated automatically when a particular predefined event takes place (page 13, lines 11-18).

Referring to claim 18, Summons et al. discloses the method as claimed, further comprising: saving characteristic values for a part operation in a data set (page 14, lines 14-16).

Referring to claim 19, Summons et al. discloses the method as claimed, further comprising: selecting one of a number of data sets of saved nominal values for comparing the measured characteristic value (page 14, lines 14-16).

Referring to claim 20, Summons et al. discloses the method as claimed, further comprising: saving historical values for at least one component in at least one historical data set (page 4, line 11 – page 5, line 17).

8. Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Summons et al. in view of Traub as applied to claims 15-17, 19 and 20 above, and further in view of Kasprowicz.

Referring to claim 21, Summons et al. as modified discloses the method as claimed, except for predicting the service life of a component with the aid of a historical data set.



Kasprowicz discloses a monitoring system including a method for predicting the service life of a component (abstract).

Therefore, it would have been obvious to one skilled in the art at the time of the invention to incorporate the life prediction method of Kasprowicz into the method of Summons et al. as modified for the same purpose as given in claim 6, above.

Referring to claim 22, Summons et al. as modified discloses the method as claimed, further comprising: transferring at least one data set of characteristic values for a part operation and/or at least one historical data set to a central database (page 4, line 11 – page 5, line 17).

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to show the state of the art with respect to monitoring of vehicle and trailer components.

USPN 6,323,651 to Melendez: This patent shows an apparatus for testing trailer lights and a display to indicate the results.

USPN 5,086,277 to Hammerly: This patent shows an apparatus for testing trailer lights and a display to indicate the results.

### ***Conclusion***

Art Unit: 2858

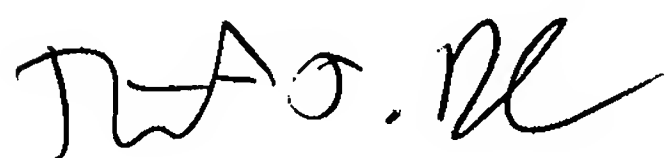
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy J. Dole whose telephone number is (571) 272-2229.

The examiner can normally be reached on Mon. thru Fri. from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, N. Le can be reached on (571) 272-2233. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TJD



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